

Inventor: Tsutomu WATANABE et al.
Application No.: 10/664,486
Title: Electronic Device

Atty Docket No.: 39303-20410.00
Filing Date: Sep. 17, 2003

Documents Filed:

1. Transmittal Form (1 pg)
2. Petition For Extension Of Time Under 37 CFR 1.136(a) (1 pg)
3. Fee Transmittal For FY2005 in duplicate (\$120 ext. of time fee to be charged to deposit account)
4. Response To Restriction Requirement (2 pp)
5. Postcard Receipt

Via: Certificate of Mailing - Express Mail - EV644666102US

Sender's Initials: DLF/MA/kk

Date: December 5, 2005



1a-831688

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To:

NAME:	FACSIMILE:	TELEPHONE:
Examiner Tuan Dinh	571.273.1929	571.272.1929

FROM: Mehran Arjomand**DATE:** April 10, 2006

Number of pages with cover page:	8	Our reference: 39303-20410.00
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Comments:

Re U.S. Patent Application No. 10/664,488. Pursuant to our telephone conversation, please find attached a copy of the reply to the restriction requirement filed on December 5, 2005, a copy of the express mail label and a copy of the returned stamped postcard.

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MEHRAN ARJOMAND AT 213-892-5630 AS SOON AS POSSIBLE.

LA-852853

PAGE 1/8 * RCVD AT 4/10/2006 2:33:21 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-6/24 * DNS:2731929 * CSID:2138925454 * DURATION (mm-ss):02:48

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MS AMENDMENT

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I hereby certify that this correspondence is deposited with the U.S. Postal Service as Express Mail, Airbill No. EV944665102US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 5, 2005 Signature: 
(Marco Jimenez)

Docket No.: 393032041000
Client reference: US195Y03 (H7903US)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tsutomu WATANABE et al.

Confirmation No.: 4850

Application No.: 10/664,486

Examiner: Tuan T. Dinh

Filed: September 17, 2003

Art Unit: 2841

For: ELECTRONIC DEVICE

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in an Office Action dated October 4, 2005, for which a response was due on November 4, 2005, and for which a one-month extension of time is also requested to extend the time for response from November 4, 2005, to December 5, 2005 (the first business day following December 4, 2005).

Applicants note with appreciation the courtesy of the Examiner during a telephone interview on November 18, 2005 to discuss the restriction requirement. The restriction requirement sets forth two species: Specie I (Fig. 3) and Specie II (Fig. 4). As discussed during the interview, Figs. 3 and 4 illustrate a mixer 1 to which member 20 is attached. In Fig. 3, member 20 is attached to wall portion 14. This is known as the first attachment mode (see specification at page 9, lines 14-16). In Fig. 4, member 20 has been rotated and attached in a different manner to the mixer 1. This is known as the second attachment mode (see page 13, lines 13-14). Figs. 3 and 4 thus illustrate the same embodiment in two different attachment modes.

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Application No.: 10/664,488
Response Dated: December 5, 2005

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Docket No.: 393032041000

The MPEP defines species as different embodiments (see MPEP 806.04(e)). Because Figs. 3 and 4 do not illustrate different embodiments but rather the same embodiment in two different attachment modes, they are not different species. Accordingly, Applicants respectfully traverse the rejection and request that all the claims (claims 1-8) be examined together.

Applicants understand that a complete reply requires an election even if the restriction requirement is traversed. Given that Species I and II illustrate the same embodiment, it does not matter whether Specie I or Specie II is elected, particularly in view that the same claims will read on each specie. Applicants thus hereby elect with traverse Species II (Fig. 3) in order to simply make an election. Claims 1-6 read on Fig. 3. It is believed that claims 1-6 are generic in that they read on both Figs. 3 and 4.

Applicants expressly reserve their right under 35 U.S.C. §121 to file a divisional application directed to the nonelected subject matter during the pendency of this application, or an application claiming priority from this application.

Applicants request examination on the merits according to the traversal.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing Docket No. 393032041000.

Dated: December 5, 2005

Respectfully submitted,

By 

Mehran Arjomand

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la-831677